

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
TOWN & COUNTRY LINEN CORP., et al., :
Plaintiffs, :
:
-against- :
:
INGENIOUS DESIGNS LLC, et al., :
Defendants. :
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18 Civ. 5075 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

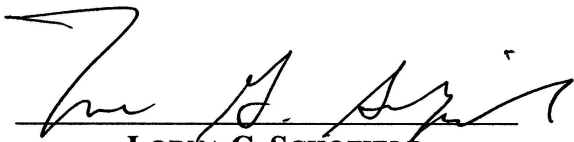
WHEREAS, on October 19, 2018, Defendants brought a motion to dismiss certain of Plaintiffs' claims in the Second Amended Complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) (Dkt. No. 49);

WHEREAS, on July 1, 2019, the Court denied the motion without prejudice to renewal following the parties' request to stay fact and expert discovery due to ongoing settlement discussions (Dkt. No. 92);

WHEREAS, on September 11, 2019, the motion to dismiss was deemed renewed following a request from the parties (Dkt. No. 98). It is hereby

ORDERED that Defendants' motion to dismiss is GRANTED IN PART and DENIED IN PART. The motion is GRANTED as to Count II: Copyright Infringement, and Count V: Misappropriation of Ideas. The motion is further GRANTED as to Count I: Patent Infringement as brought against Defendant Joy Mangano. The motion to dismiss is DENIED as to Count VI: Quantum Meruit, Count VII: Unjust Enrichment and Count VIII: Unfair Competition. The motion is further DENIED as to Count I: Patent Infringement as brought against Defendants Ingenious Designs LLC, and HSN, Inc. An opinion will follow separately.

Dated: January 6, 2020
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE